

# Exhibit J

Page 1

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW  
JERSEY CIVIL ACTION  
NO. 3:20cv-13509

ANDREW RITZ AND MICHAEL RITZ

Plaintiffs,

Deposition of:  
MICHAEL RITZ

-VS-

NISSAN INFINITI, TRANS UNION,  
LLC, EQUIFAX INFORMATION  
SERVICES AND EXPERIAN  
INFORMATION SOLUTIONS, INC.,  
Defendant.

Defendant.

Page 18

1 Q. How did you dispose of that car sir, was  
2 it turned in for another vehicle?

3 A. I believe it was an accident.

4 Q. Okay.

5 A. It was totally damaged.

6 Q. Okay, and did you receive insurance  
7 payments for that vehicle?

8 A. Yes.

9 Q. Had you purchased or leased any other  
10 vehicle prior to that?

11 A. No.

12 Q. The prior Nissan, had you dealt with DCH  
13 Freehold also, or did you purchase from another  
14 dealership?

15 A. I purchased from another dealership.

16 Q. Okay. You never leased a vehicle before  
17 this 2017 Sentra?

18 A. Right.

19 Q. What vehicle do you currently drive sir?

20 A. The Toyota.

21 Q. The 2003 Toyota?

22 A. Yes.

23 Q. Sir, do you know whether or not, do you  
24 know what your present credit score is?

25 A. Approximately what I recall?

Page 19

1           Q.    Yes. What do you recall to the best of  
2    your recollection?

3           A.    Approximately 738, 740.

4           Q.    When was the last time you checked that?

5           A.    Recently, I received an email  
6    from credit karma?

7           Q.    Okay.

8           A.    Telling me that my score had gone  
9    up. I would say within with the last two months.

10          Q.    Do you know whether or not your credit  
11    score decreased as a result of the allegations  
12    asserted in this complaint?

13          A.    Yes.

14          Q.    By how much did your credit score  
15    decrease?

16          A.    To the mid 600.

17          Q.    You state that most recently your credit  
18    score is in the 7's?

19          A.    Yes.

20          Q.    Do you have any credit cards?

21          A.    Yes.

22          Q.    How many credit cards are in your name?

23          A.    I have five.

24          Q.    As a result of this experience with DCH  
25    Freehold, were you ever denied a credit card?

Page 20

1 A. No.

2 Q. Let's say from August 2019 to the  
3 present date, August 2019 being the vehicle that  
4 you assert, the date you assert the vehicle  
5 should have been turned in, until the present  
6 time, have you ever been denied any application  
7 for credit?

8 A. No.

9 Q. Have you attempted since that time to  
10 apply for a loan?

11 A. I refinanced my home in 2019, and then  
12 again in 2021.

13 Q. You were able to refinance?

14 A. Yes.

15 Q. In 2019, do you remember when you  
16 attempted to refinance the home, do you remember  
17 the month, before or after August?

18 A. Yes, it was probably, I can't recall the  
19 date, I can't recall the date.

20 Q. But you would say it was after  
21 August 2019?

22 A. I can't be sure. I don't recall.  
23 I have it written down if you want me to check.

24 Q. Do you believe it was closer to the end  
25 of the year?

Page 21

1                   A.     I'm not sure.

2                   Q.     Okay. Have you at any time attempted to  
3     obtain any sort of employment since August of  
4     2019?

5                   A.     No.

6                   Q.     Sir, since August 2019, were you denied  
7     any sort of credit opportunities that you wanted  
8     to pursue?

9                   A.     I was not denied.

10                  Q.     Sir, I would like to share the screen  
11    with you just for point of reference. The screen  
12    may change on you. Sir, do you see I'm sharing  
13    the screen with you, there should be a document  
14    on your screen responses to Nissan's first set of  
15    Interrogatories Michael Ritz. Does this look  
16    familiar to you?

17                  A.     Yes.

18                  Q.     I'm going to turn to page 16, these are  
19    Answers to Interrogatories. On page 16 here, at  
20    the top, you mention that you had gone through  
21    some financial difficulties earlier on. Can you  
22    just give me some background as to those  
23    occurrence's sir, to fill in some of the gaps?

24                  A.     How it came about?

25                  Q.     Yes, sir.

Page 22

1           A.    I was let go from a position that I had,  
2           and I could not find any employment.  You know,  
3           after that, I was having a difficult time.  And  
4           that is how we wound up, well, I could not keep  
5           up, we had two cars, lived in a condo, I could  
6           not keep up the rent.  And I could not keep up  
7           the car payments.  I lost the cars.  I was  
8           evicted from the condo.  And, that is how we wound  
9           up homeless.

10           Q.    Did you live anywhere afterwards, or  
11           were you out of --

12           A.    I was fortunate enough my son helped me  
13           out a little bit, we were able to stay in motels  
14           on occasion.  I was able to stay at my mother's  
15           apartment on weekends.  We had a friend who rented  
16           a car for us.  So we were able to sleep in the car  
17           when necessary.  And use the car to take care of  
18           some of our things that we had to pursue.

19           Q.    Sir, when do you recall the date or the  
20           year of when you purchased your first home after  
21           these events?

22           A.    I bought this unit, I was renting here  
23           until 2015, when I purchased it.  Nothing since  
24           then other than the refinancing.

25           Q.    Okay.  Since August of 2019, as a result

Page 23

1 of these allegations, have you sustained any  
2 financial loss?

3 A. No.

4 Q. I'm going to turn to the shared  
5 screen, page 18 sir, there's a table there, title  
6 non -- pecuniary damages. In that table there's  
7 several descriptions there including loss of  
8 sleep, nervousness, frustration, and so forth.  
9 Did you ever seek any sort of medical attention  
10 for these issues?

11 A. No, I did not.

12 Q. Did you seek any type of counseling or  
13 therapy for any of these issues?

14 A. No.

15 Q. Any sort of medical attention for loss  
16 of sleep or psychiatric assistance for any of  
17 these issues?

18 A. No.

19 Q. Were you ever on any medication to  
20 resolve any of these issues, or placed on any  
21 medication for purposes after all of this  
22 transpired?

23 A. No, I was already on medication, I was  
24 taking Prozac for a number of years. Did not  
25 increase it, no change.

1           Q.    Okay sir. You mention on here just  
2       injury to reputation, can you please describe  
3       what you mean by that sir?

4           A.    When this whole thing started in August  
5       when we brought the car back it was a very  
6       embarrassing situation, you know. It upset both  
7       my son and me, it upset him more. And since he  
8       was upset, I became more upset by the way that we  
9       were treated and how the thing was coming about.

10          Q.    You mention injury to family work and  
11       sense of well being. Can you provide some  
12       description about how these events impacted your  
13       family work and sense of well being?

14          A.    Since I had the homelessness 25 years  
15       ago and I lost the everything, and I had no  
16       credit report, no credit score, checking account,  
17       savings account, I had absolutely nothing. And  
18       it took me a number of years to get back on my  
19       feet and established to where I was able to buy a  
20       home. And get credit cards, and, have, you know,  
21       a little cash in the bank. And when this whole  
22       thing arose, I just had that fear again that I  
23       don't want to go back to what happened to me  
24       years ago.

25          Q.    Okay.

1           A.    So, I had that anxiety and fear about it  
2   happening again, are these things going to work  
3   out, and the normal anxiety that come from all of  
4   the stress.

5           Q.    And sir, you also claim damages, future  
6   damages for continuing violation. What sort of  
7   future damages do you feel you incurred as a  
8   result of this action?

9           A.    I was thinking along the lines of,  
10   you know, this was to continue, and not getting  
11   settled, how it would affect me in the future as  
12   far as refinancing, or obtaining any other  
13   credit.

14          Q.    But you have testified that as of today,  
15   your credit score has increased from where it  
16   was?

17          A.    Yes.

18          Q.    Have you ever sued anyone else under the  
19   fair credit reporting act?

20          A.    No.

21          Q.    Have you ever had any other disputes  
22   with any other lenders or finance companies that  
23   you can recall?

24          A.    Yes.

25          Q.    Can you provide details please?

1 A. I know I have had disputes, I can't  
2 recall exactly who or when it was. I'm sorry I  
3 can't recall.

4 Q. Okay. Have you filed any complaints  
5 against any other finance companies or lenders?

6 A. NO.

7 Q. So, this is the only instance ever,  
8 where you have filed a form judicial complaint  
9 against a lender and finance company?

10 A. Right.

11

12

13 (A brief recess was taken.)

14

15

16 Q. Mr. Ritz, just a few follow-up questions  
17 and we are finished. You had mentioned that you  
18 refinanced your home at the end of 2019. Do you  
19 recall who the lender was with whom you  
20 refinanced?

21                   A.     Yes, I believe my mortgage company is  
22                   PennyMac Mortgage.

23 Q. Do you recall how much was financed?

24 A. I don't recall the amount.

25 Q. Okay. Do you recall the rate that you

Page 27

1 received?

2 A. Yes, I believe it was 4.75. And then it  
3 was refinanced again last year. They gave me a  
4 1.99 percentage. That is why I went ahead and did  
5 it.

6 Q. That was also through PennyMac sir?

7 A. Yes.

8 Q. Sir, did you look, I'm going to share  
9 the screen again quickly. Sir, these are your  
10 answers to Interrogatories. If you look on  
11 page 17, you note that you have time expended in  
12 disputing errors. Do you recall how much time  
13 you spent in disputing errors in this case?

14 A. I could not estimate, no.

15 Q. I have no further questions for Mr.  
16 Ritz, and I thank you for your time sir.

17 (The deposition was adjourned at  
18 12:28 p.m. )

19

---

MICHAEL RITZ

20  
21 Subscribed and sworn to before me  
22 this \_\_ day of \_\_\_\_\_, 2021.  
23

---

24 Notary public  
25